

AMENDED IN SENATE MAY 5, 2009  
AMENDED IN SENATE APRIL 2, 2009

**SENATE BILL**

**No. 564**

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**Introduced by Senator Hollingsworth**

February 27, 2009

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An act to add Section 6610 to the Welfare and Institutions Code, relating to sexually violent predators.

LEGISLATIVE COUNSEL'S DIGEST

SB 564, as amended, Hollingsworth. Sexually violent predators.

Existing law provides for the civil commitment of criminal offenders who have been determined to be sexually violent predators for treatment in a secure state hospital facility, as specified. Existing law also sets forth provisions governing the release of sexually violent predators from state custody.

This bill would require sexually violent predators who are released ~~from civil commitment in a state hospital~~ *into a forensic conditional release program* after January 1, 2010, to be placed in a reentry facility administered by the State Department of Mental Health until suitable housing is found, *but would preclude failure to be placed in a reentry facility from being grounds for preventing conditional release.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and declares the  
2 following:

1 (a) The High Risk Sex Offender and Sexually Violent Predator  
2 Task Force, in their December 2006 report, stated that, “[h]omeless  
3 releases cause an unacceptable and unnecessary risk to the public  
4 because the individual cannot be properly supervised and many  
5 of the terms and conditions of release cannot be enforced (such as  
6 global positioning satellite monitoring, curfews, and associations  
7 with other felons). The Task Force believes that the release of any  
8 SVP without a home into the community creates an unacceptably  
9 high risk to the public and the SVP, ~~and is making specific~~  
10 ~~recommendations in this report to improve the SVP placement~~  
11 ~~process.”.~~

12 (b) Therefore, it is the intent of the Legislature to provide  
13 appropriate reentry housing for SVPs until suitable residential  
14 housing may be found.

15 SEC. 2. Section 6610 is added to the Welfare and Institutions  
16 Code, to read:

17 6610. Notwithstanding any other law, any sexually violent  
18 predator who is released ~~from civil commitment in a state hospital~~  
19 *into a forensic conditional release program* after January 1, 2010,  
20 pursuant to this article shall be placed in a reentry facility  
21 administered by the State Department of Mental Health until  
22 suitable housing is found for the sexually violent predator. *The*  
23 *failure of the department to place a person in a reentry facility*  
24 *shall not be grounds to prevent conditional release of the person*  
25 *who has demonstrated that he or she would not be a danger to*  
26 *others while under supervision and treatment in the community.*